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## IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

International Application No. : PCT/US03/34789  
 International Filing Date : 03 November 2003 (03.11.2003)  
 U.S. Serial No. : 10/533,421  
 Deposit Date U.S. Nat'l Phase : 29 April 2005 (29.04.2005)  
 Priority Date(s) Claimed : 01 November 2002 (01.11.2002)  
 Applicant(s) : Bruce GLUCKMAN, et al.  
 Title: METHODS AND DEVICES FOR DETERMINING BRAIN STATE

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
 UNDER 35 U.S.C. § 371  
 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22304-1450

Sir:

In response to the Notification of Missing Requirements dated September 19, 2005:

- ☒ Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of \$65.00
- ☒ Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00 (Check No. 36415).
- ☒ Attached is a copy of the Notification of Missing Requirements.
- ☒ Applicant(s) request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of three months along with the fee of \$510.00.
- ☒ Applicant(s) are entitled to small entity status.
- ☐ Attached is a verified English translation of the PCT publication along with the fee of \$130.00.
- ☐ Attached is a Preliminary Amendment.
- ☐ Applicant(s) include the extra claims fee of \$        for        claims in excess of 20 per additional claim, for        independent claims in excess of 3 per additional claim, and/or        for multiple dependent claims.
- ☐ Attached is the Sequence Disclosure (paper/disk versions) with the appropriate statement as required

- ☐ Attached is an Application Data Sheet (ADS).
- ☐ Attached are the substitute drawings as required.

Attached is a check in the amount of \$575.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402.

Respectfully submitted,

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Richard M. Lebovitz  
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Attorney/Agent for Applicants

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Attorney Docket No.: GMU-0007

Date: February 16, 2006

02/21/2006 LLANDGRA 00000040 10533421

01 FC:2253  
02 FC:2617

510.00 OP  
65.00 OP

SEP 22 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/533,421	FIRST NAMED APPLICANT Bruce Gluckman	ATTY. DOCKET NO. GMU-0007
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Millen White Zelano & Branigan  
Arlington courthouse Plaza 1  
2200 Clarendon Blvd  
Suite 1400  
Arlington, VA 22201

CASE \_\_\_\_\_  
ACTION RESP TO NMR  
DATE 11.19.05

INTERNATIONAL APPLICATION NO. PCT/US03/34789	
I.A. FILING DATE 11/03/2003	PRIORITY DATE 11/01/2002

CONFIRMATION NO. 4097  
371 FORMALITIES LETTER



Date Mailed: 09/19/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/29/2005
- Copy of the International Search Report filed on 04/29/2005
- Information Disclosure Statements filed on 04/29/2005
- Small Entity Statement filed on 04/29/2005
- U.S. Basic National Fees filed on 04/29/2005
- Priority Documents filed on 04/29/2005
- Specification filed on 04/29/2005
- Claims filed on 04/29/2005
- Abstracts filed on 04/29/2005
- Drawings filed on 04/29/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

*Handwritten:* 9.22.05 B

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,421	PCT/US03/34789	GMU-0007

FORM PCT/DO/EO/905 (371 Formalities Notice)